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10/533,577	12/09/2005	Noel William Lovisa	340512-900306	4467
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EXAMINER LINDSEY, MATTHEW S				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/533,577

**Applicant(s)**

LOVISA, NOEL WILLIAM

**Examiner**

MATTHEW S. LINDSEY

**Art Unit**

2451

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25, 27-32, 35-39, 42-44 and 47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25, 27-32, 35-39, 42-44 and 47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-25, 27-32, 35-39, 42-44 and 47 are pending in this application. Claims 1, 13, 17, 24, 27, 32, 35, 39, 42 and 44 are amended as filed on 30 December 2009.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 December 2009 has been entered.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 24-25, 32, 39 and 44 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

5. With respect to Claims 24-25, 32, 39 and 44, they are directed to "A system" or an "Apparatus" however lack the necessary physical articles or objects to constitute a machine or manufacture within the meaning of 35 USC 101. As such the claims can be interpreted by one of ordinary skill in the art at the time of the invention as software. Software is not a series of steps or acts to be a process, nor is it a combination of chemical compounds. Therefore the claims are non-statutory.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**7. Claims 1-6, 9-25, 27-32, 35-39 and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rigole (US 7,139,728 B2) in view of Hanagan (US 2001/0056362).**

8. With respect to Claim 1, Rigole disclosed: "A method of allowing a user to obtain a desired service using a processing system (Col. 3, lines 26-29), the method utilising components each component corresponding to a respective service portion provided by a respective entity (Col. 3, lines 35-42), the method including causing the processing system to:

a) Provide component specifications to the user for a plurality of different components (Col. 3, lines 39-42), the component specifications being indicative of the respective service portion associated with the corresponding component (Col. 11, lines 36-51), and at least some of the different components being provided by different entities, thereby allowing the user to select respective ones of the components (Col. 11, lines 6-8);

b) Determine a combination of components in accordance with input commands received from the user (Col. 3, lines 42-46)", "interconnections between at least some of the components defining transfer of data between the entities of the respective components (Col. 10, lines 1-24)"; and

"c) Implement the components in accordance with the component combination (Col. 3, lines 46-49)".

Rigole did not explicitly state: "the defined component combination defining a sequence of service portions and one or more user defined interconnections between at least some of the components", or "wherein a service request is transferred to each entity requesting the respective service portion to be performed, wherein each service request includes an indication of the interconnections of the respective component, thereby causing the sequence of service portions to be performed, such that the desired service is performed".

However, Hanagan disclosed: "the defined component combination defining a sequence of service portions ([0078], lines 1-11) and one or more user defined interconnections between at least some of the components ([0185], lines 1-10, where the user creates association rules between the new service and existing services)"; and

"wherein a service request is transferred to each entity requesting the respective service portion to be performed ([0081], lines 16-23, where a customer purchases a new phone line or call waiting and the OP translates the purchase into a request and [0081], lines 16-23, where the OP transfers the request to the network elements), wherein each service request includes an indication of the interconnections of the respective component ([0081], lines 3-9, where a request is analyzed to produce a workflow which identifies the proper order in which tasks must be performed, or the interconnection between the tasks), thereby causing the sequence of service portions to be performed, such that the desired service is performed ([0081], lines 16-26, where for example, a customer orders call waiting, and the OP activates the service automatically by contacting the network element)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hangan to

include support for component combinations defining service portions and user defined interconnections between them and implementation of a service request by a respective component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

9. With respect to Claim 2, the combination of Rigole and Hanagan disclosed: "A method according to claim 1, the processing system including a base station coupled to one or more end stations via a communications network (Rigole, Fig. 1, end stations 2,3 and Base station 2), the method including allowing the user to use the end station to:

- a) Select one or more of the components (Rigole, Col. 3, lines 42-46); and,
- b) Define a component combination using the selected components (Hanagan, [0189], lines 1-9)".

The motivation to combine is the same as that used above in claim 1.

10. With respect to Claim 3, the combination of Rigole and Hanagan disclosed: "A method according to claim 2, the method including causing the base station to:

- a) Receive a component request from the end station (Rigole, Col. 3, lines 36-38);
- b) Transfer an indication of one or more components to the end station in accordance with the request, thereby allowing the user to select one or more of the

components (Rigole, Col. 3, lines 36-46)".

11. With respect to Claim 4, the combination of Rigole and Hanagan disclosed: "A method according to claim 3, the method including causing the base station to:

a) Receive a component selection from the end station (Rigole, Col. 3, lines 36-38), the component selection indicating one or more selected components (Rigole, Col. 3, lines 36-38); and,

b) Transfer details of the selected components to the end station in response to the request (Rigole, Col. 3, lines 36-46), thereby allowing the user to define the component combination (Hanagan, [0110], lines 6-14 and Fig 12, where wireless service is requested and the user can select certain combinations such as voice, data, caller ID, peak minutes etc)".

The motivation to combine is the same as that used above in claim 1.

12. With respect to Claim 5, the combination of Rigole and Hanagan disclosed: "A method according to claim 2, the base station including a store for storing component specifications representing the service portion provided by a respective component and (Rigole, Col. 11, lines 24-28), a processor (Rigole, Fig. 2, and Col. 5, lines 28-34), the method including causing the processor to:

a) Access the component specifications stored in the store (Rigole, Col. 11, lines 28-33); and,

b) Provide an indication of the services provided by the components to the end station, thereby allowing the user to select respective ones of the components (Rigole, Col. 3, lines 35-49)".

13. With respect to Claim 6, the combination of Rigole and Hanagan disclosed: "A method according to claim 5, at least some of the components including one or more ports (Rigole, Col. 10, lines 1-3, where ports are the endpoints of data channels), the store being further adapted to store port specifications, each port specification indicating any information to be received by or output from the port (Rigole, Col. 10, lines 6-14, where data channels are determined based on the structure of the data and the programs that are to operate on that data, therefore the storage of the data is the storing of data channels, whose endpoints are ports which connect components for transfer of data), the method including causing the processor to:

a) Access the port specifications stored in the store (Rigole, Col. 10, lines 18-24, where data is transferred according to the data channel); and,

b) Provide an indication of the information to the end station (Rigole, Col. 10, lines 18-24, where data is presented to the computer system 3, which is an end station), thereby allowing the user to select the components (Col. 3, lines 42-49, where a user selects components)".

14. With respect to Claim 9, the combination of Rigole and Hanagan disclosed: "A method according to claim 4, the method including causing the base station and/or the

end station to: a) Generate a graphical representation of the selected components (Hanagan, [0110], lines 1-8); and, b) Manipulate the graphical representation in response to input commands received from the user to thereby define the component combination (Hanagan, [0189], lines 1-9)".

The reason to combine the references is the same as indicated above in claim 1.

15. With respect to Claim 10, the combination of Rigole and Hanagan disclosed: "A method according to claim 9, the method further including causing the base station to: a) Obtain a graphical representation of the selected components (Hanagan, [0110], lines 1-8); b) Transfer the graphical representations to the end station (Hanagan, [0181], lines 1-4, where the end stations are the kiosk or remote access users, the information of the services and products, including graphical representation, must be transferred to the remote access users in order to function)".

16. With respect to Claim 11, the combination of Rigole and Hanagan disclosed: "A method according to claim 10, the method including causing the base station and end station to implement the combined components in accordance with the generated graphical representation (Hanagan, [0189], lines 1-9 and [0181], lines 10-15, where a user can request the implementation of the components in accordance with the graphical representation)".

The reason to combine the references is the same as indicated above in claim 1.

17. With respect to Claim 12, the combination of Rigole and Hanagan disclosed: "A method according to claim 2, the components being implemented by component processing systems (Rigole, Col. 4, lines 44-49 and Fig. 1), the method of implementing the combined components including:

a) Generating the service request for each component in the component combination (Hanagan, [0081], lines 16-23, where a customer purchases a new phone line or call waiting and the OP translates the purchase into a request); and,

b) Transferring the service request to each entity via the communications network (Hanagan, [0081], lines 16-23, where the OP transfers the request to the network elements), each entity being adapted to respond to the service request to implement the data manipulation embodied by the respective component (Hanagan, [0081], lines 23-26, where the network element fulfills the request and responds with a success to the OP)".

The reason to combine the references is the same as indicated above in claim 1.

18. With respect to Claim 13, the combination of Rigole and Hanagan disclosed: "A method according to claim 12, the method including:

a) Determining any information required by the components (Hanagan, [0081], lines 3-9, where the OP determines the tasks required to complete the task and the type of resources required for each task); and,

b) Providing the information in the service request (Hanagan, [0081], lines 16-23, where the OP determined the network element and translates the request to a low level activation request for the network element)".

The reason to combine the references is the same as indicated above in claim 1.

19. With respect to Claim 14, the combination of Rigole and Hanagan disclosed: "A method according to claim 12, wherein at least some of the components include one or more ports for receiving or outputting data (Rigole, Col. 10, lines 1-3, where ports are the endpoints of data channels), wherein each service request including an indication of the interconnections for each of the ports of the respective component (Rigole, Col. 10, lines 6-14, where data channels, whose endpoints are ports, are determined by the structure of and the programs that operate on the data of a service request and are therefore included in the service request)".

20. With respect to Claim 15, the combination of Rigole and Hanagan disclosed: "A method according to claim 14, the method including causing each component processing system to:

a) Implement one or more respective component instances in accordance with the received service request (Rigole, Col. 3, lines 42-49); and,

b) Cause each component instance to:

i) Interact with other components in accordance with the interconnections defined in the service request (Rigole, Col. 10, lines 6-24, where data is passed

between components according to data channels which are determined based on the data of a service request); and,

ii) Perform any required information manipulations (Rigole, Col. 10, lines 14-18, where a predetermined operation is performed on the data)".

21. With respect to Claim 16, the combination of Rigole and Hanagan disclosed: "A method according to claim 14, the method including causing each component processing system to:

a) Implement a respective agent associated with each port (Rigole, Col. 10, lines 1-3, where a data channel is an agent associated with its endpoint, or port, at a component); and,

b) Cause each agent to cooperate with an agent of another component in accordance with the defined interconnections (Rigole, Col. 10, lines 33-39), to thereby allow data to be transferred between the ports (Rigole, Col. 10, lines 1-3)".

22. With respect to Claim 17, the combination of Rigole and Hanagan disclosed: "A method according to claim 1, at least some of the services being adapted to manipulate information (Rigole, Col. 10, lines 14-18, where an operation is performed on the data), the entity being adapted to perform the service by:

a) Receiving the information to be manipulated at a ports (Rigole, Col. 10, lines 14-18, where data from a database is introduced to a program through a data channel, whose endpoints are ports);

b) Perform the manipulation (Rigole, Col. 10, lines 14-18, where an operation is performed on the data); and,

c) Provide the manipulated information at one or more ports (Rigole, Col. 10, lines 18-24, where the data is provided to other computer systems through a data channel, whose endpoints are ports)".

23. With respect to Claim 18, the combination of Rigole and Hanagan disclosed: "A method according to claim 17, the method including transferring the manipulated information to one or more components in accordance with the defined component combination (Rigole, Col. 10, lines 36-39, where data channels are assigned to enable transfer of data between components)".

24. With respect to Claim 19, the combination of Rigole and Hanagan disclosed: "A method according to claim 1, the method including causing the base station to:

a) Determine performance information, the performance information being representative of one or more criteria regarding the implementation of the components by the respective entities (Hanagan, [0196], lines 16-21, where pricing information is determined);

b) Provide the performance information to the user, the user selecting the components in accordance with the performance information (Hanagan, [0196], lines 16-21, where pricing information can be retrieved by the CCM to answer customer inquiries)".

The reason to combine the references is the same as indicated above in claim 1.

25. With respect to Claim 20, the combination of Rigole and Hanagan disclosed: "A method according to claim 19, the performance information including at least one of:

- a) An indication of the entity implementing the component;
- b) An indication of the geographical location of the entity;
- c) An indication of the duration for implementing the component;
- d) An indication of a cost associated with implementing the respective

component (Hanagan, [0196], lines 16-21, where performance information can include pricing information, or final pricing of events); and,

- e) A rating, the rating being indicative of the success of the component".

The reason to combine the references is the same as indicated above in claim 1.

26. With respect to Claim 21, the combination of Rigole and Hanagan disclosed: "A method according to claim 19, the method including: providing a number of different components for performing equivalent service portions (Rigole, Col. 3, lines 35-36, where there are a number of different service providers providing equivalent service portions, such as long distance telephone), the different components being provided by different entities (Rigole, Col. 3, lines 35-39, the service providers being different entities) so that the user selects one of the components provided by one of the different entities in accordance with the performance information (Rigole, Col. 3, lines 39-46)".

27. With respect to Claim 22, the combination of Rigole and Hanagan disclosed: "A method according to claim 1, the method including generating revenue by charging a fee for the use of each component (Hanagan, [0050], lines 9-11, where a bill is created for the services used by the customer)".

The reason to combine the references is the same as indicated above in claim 1.

28. With respect to Claim 23, the combination of Rigole and Hanagan disclosed: "A method according to claim 22, the method including:

- a) Providing at least some of the revenue to the entity implementing the respective component (Rigole, Col. 3, lines 66 – Col. 4, line 3); and,
- b) Having an operator of the base station retain at least some of the revenue (Rigole, Col. 3, lines 66 – Col. 4, line 3)".

29. With respect to Claim 24, Rigole disclosed: "A system for allowing a user to obtain a desired service (Col. 3, lines 26-29), the service being implemented using components, each component corresponding to a respective service portion provided by a respective entity (Col. 3, lines 35-42), the system including a processing system adapted to:

- a) Provide component specifications to the user for a plurality of different components (Col. 3, lines 39-42), the component specifications being indicative of the respective service portion associated with the corresponding component (Col. 11, lines 36-51), and at least some of the different components being provided by different

entities, thereby allowing the user to select respective ones of the components (Col. 11, lines 6-8);

b) Determine a combination of components in accordance with input commands received from the user (Col. 3, lines 42-46)", "interconnections between at least some of the components defining transfer of data between the entities of the respective components (Col. 10, lines 1-24)"; and

"c) Implement the components in accordance with the component combination (Col. 3, lines 46-49)".

Rigole did not explicitly state: "the defined component combination defining a sequence of service portions and one or more user defined interconnections between at least some of the components", or "wherein a service request is transferred to each entity requesting the respective service portion to be performed, wherein each service request includes an indication of the interconnections of the respective component, thereby causing the sequence of service portions to be performed, such that the desired service is performed".

However, Hanagan disclosed: "the defined component combination defining a sequence of service portions ([0078], lines 1-11) and one or more user defined interconnections between at least some of the components ([0185], lines 1-10, where the user creates association rules between the new service and existing services)"; and

"wherein a service request is transferred to each entity requesting the respective service portion to be performed ([0081], lines 16-23, where a customer purchases a new phone line or call waiting and the OP translates the purchase into a request and [0081], lines 16-23, where the OP transfers the request to the network elements), wherein each service request includes an indication of the interconnections of the respective component ([0081], lines 3-9, where a request is analyzed to produce a workflow which identifies the proper order in which tasks must be performed, or the interconnection between the tasks), thereby causing the sequence of service portions to be performed, such that the desired service is performed ([0081], lines 16-26, where for example, a customer orders call waiting, and the OP activates the service automatically by contacting the network element)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hangan to include support for component combinations defining service portions and user defined interconnections between them and implementation of a service request by a respective component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service

provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

30. With respect to Claim 25, the combination of Rigole and Hanagan disclosed: "A system according to claim 24, the system including a base station coupled to one or more end stations via a communications network (Rigole, Fig. 1, end stations 2,3 and Base station 2)".

31. With respect to Claim 27, Rigole disclosed: "A method of allowing users to manipulate data (Rigole, Col. 10, lines 14-18), the method including:

a) Providing one or more components by providing component specifications to the users for a plurality of different components (Col. 3, lines 39-42), each component representing a respective service portion implemented by a respective entity (Col. 3, lines 35-42), and the component specification being indicative of the respective service portion associated with the corresponding component (Col. 11, lines 36-51, and at least some of the different components being provided by different entities, thereby allowing the user to select respective ones of the components (Col. 11, lines 6-8);

b) Allowing users to define a combination of the selected component (Col. 3, lines 42-46)", "interconnections between at least some of the components defining transfer of data between the entities of the respective components (Col. 10, lines 1-24); and

c) Causing the service portions to be implemented in accordance with the defined combination (Col. 3, lines 46-49)".

Rigole did not explicitly state: "the defined component combination defining a sequence of service portions and one or more user defined interconnections between at least some of the components", or "wherein a service request is transferred to each entity requesting the respective service portion to be performed, wherein each service request includes an indication of the interconnections of the respective component, thereby causing the sequence of service portions to be performed, such that the desired service is performed".

However, Hanagan disclosed: "the defined component combination defining a sequence of service portions ([0078], lines 1-11) and one or more user defined interconnections between at least some of the components ([0185], lines 1-10, where the user creates association rules between the new service and existing services)"; and

"wherein a service request is transferred to each entity requesting the respective service portion to be performed ([0081], lines 16-23, where a customer purchases a new phone line or call waiting and the OP translates the purchase into a request and [0081], lines 16-23, where the OP transfers the request to the network elements), wherein each service request includes an indication of the interconnections of the respective component ([0081], lines 3-9, where a request is analyzed to produce a workflow which identifies the proper order in which tasks must be performed, or the

interconnection between the tasks), thereby causing the sequence of service portions to be performed, such that the desired service is performed ([0081], lines 16-26, where for example, a customer orders call waiting, and the OP activates the service automatically by contacting the network element)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hangan to include support for component combinations defining service portions and user defined interconnections between them and implementation of a service request by a respective component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

32. With respect to Claim 28, the combination of Rigole and Hanagan disclosed: "A method according to claim 27, the method including:

a) For each component, receive a component specification from a respective entity (Rigole, Col. 3, lines 42-43); and,

b) Provide details of one or more components to the user in response to a request (Rigole, Col. 3, lines 42-43), thereby allowing the user to request implementation of the one or more components, the details being determined from the specification (Rigole, Col. 3, lines 42-49)".

33. With respect to Claim 29, the combination of Rigole and Hanagan disclosed: "A method according to claim 27, the method including causing the processing system to:

a) Determine performance information (Hanagan, [0196], lines 16-21, where performance information is pricing information), the performance information being representative of one or more criteria regarding the implementation of the components (Hanagan, [0196], lines 16-21, where pricing information includes cost of implementing the services or components);

b) Provide the performance information to a user, the user selecting the components in accordance with the performance information (Hanagan, [0196], lines 19-21, where the customer requests billing information and is provided the answer, and a customer selects components based on pricing information)".

The reason to combine is the same as that used above in claim 27.

34. With respect to Claim 30, the combination of Rigole and Hanagan disclosed: "A method according to claim 29, the performance information including at least one of.

a) An indication of the entity implementing the component;

b) An indication of the geographical location of the entity;

- c) An indication of the duration for implementing the component;
- d) An indication of a cost associated with implementing the respective component (Hanagan, [0196], lines 16-21, where price information is the cost associated with implementing the respective component); and,
- e) A rating, the rating being indicative of the success of the component".

The reason to combine is the same as that used above in claim 27.

35. With respect to Claim 31, the combination of Rigole and Hanagan disclosed: "A method according to claim 29, the method including: providing a number of different components for performing equivalent service portions (Rigole, Col. 3, lines 35-36, where there are a number of different service providers providing equivalent service portions, such as long distance telephone), the different components being provided by different entities (Rigole, Col. 3, lines 35-39, the service providers being different entities) so that the user selects one of the components provided by one of the different entities in accordance with the performance information (Rigole, Col. 3, lines 39-46)".

36. With respect to Claim 32, Rigole disclosed: "Apparatus for allowing users to manipulate data, the apparatus including a processing system (Col. 10, lines 14-18) adapted to:

- a) Provide access to one or more components, by providing component specifications to the users for a plurality of different components (Col. 3, lines 39-42), each component representing a respective service portion implemented by a respective

entity (Col. 3, lines 35-42), and the component specification being indicative of the respective service portion associated with the corresponding component (Col. 11, lines 36-51, and at least some of the different components being provided by different entities, thereby allowing the user to select respective ones of the components (Col. 11, lines 6-8);

b) Allowing users to define a combination of the selected component (Col. 3, lines 42-46)", "interconnections between at least some of the components defining transfer of data between the entities of the respective components (Col. 10, lines 1-24); and

c) Causing the service portions to be implemented in accordance with the defined combination (Col. 3, lines 46-49)".

Rigole did not explicitly state: "the defined component combination defining a sequence of service portions and one or more user defined interconnections between at least some of the components", or "wherein a service request is transferred to each entity requesting the respective service portion to be performed, wherein each service request includes an indication of the interconnections of the respective component, thereby causing the sequence of service portions to be performed, such that the desired service is performed".

However, Hanagan disclosed: "the defined component combination defining a sequence of service portions ([0078], lines 1-11) and one or more user defined

interconnections between at least some of the components ([0185], lines 1-10, where the user creates association rules between the new service and existing services)”; and

“wherein a service request is transferred to each entity requesting the respective service portion to be performed ([0081], lines 16-23, where a customer purchases a new phone line or call waiting and the OP translates the purchase into a request and [0081], lines 16-23, where the OP transfers the request to the network elements), wherein each service request includes an indication of the interconnections of the respective component ([0081], lines 3-9, where a request is analyzed to produce a workflow which identifies the proper order in which tasks must be performed, or the interconnection between the tasks), thereby causing the sequence of service portions to be performed, such that the desired service is performed ([0081], lines 16-26, where for example, a customer orders call waiting, and the OP activates the service automatically by contacting the network element)”.

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hangan to include support for component combinations defining service portions and user defined interconnections between them and implementation of a service request by a respective

component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

37. With respect to Claim 35, Rigole disclosed: "A method of providing a component embodying a service portion using a processing system (Col. 3, lines 26-29), the service portion being performed by an entity (Col. 3, lines 35-42) the method including:

- a) Determining a service portion to be performed (Col. 3, lines 42-49);
- b) Determining a method of performing the service portion (Col. 3, lines 42-49);

and,

- c) Generating a component specification defining the service portion (Col. 3, lines 35-39), the component specification being indicative of the service portion associated with the component (Col. 11, lines 36-51) and including port specifications defining any information to be received or output from the respective port (Col. 10, lines 1-3, where ports are the endpoints of data channels and lines 6-14, where data channels are determined based on the structure of the data and the programs that are to operate on that data)

- d) Providing the component specifications to a user (Col. 3, lines 39-42), thereby allowing the user to select respective ones of the components, at least some of the different components being provided by different entities (Col. 11, lines 6-8)

e) Receiving a service request to perform the service portion (Col. 3, lines 46-49)", "wherein the one or more interconnections define transfer of data between entities of the respective components to perform the service (Col. 10, lines 1-24); and

f) Performing the service portion in accordance with the service request (Col. 3, lines 46-49)".

Rigole did not explicitly state: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service".

However, Hanagan disclosed: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service ([0185], lines 1-10, where the user creates association rules between the new service and existing services)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hanagan to include support for component combinations defining service portions and user defined

interconnections between them and implementation of a service request by a respective component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

38. With respect to Claim 36, the combination of Rigole and Hanagan disclosed: "A method according to claim 35, the method including further determining a private component specification defining the method of performing the service portion (Hanagan, [0081], lines 4-9, where the OP determines a private specification defining the method of performing the service, including tasks and resources required and scheduling, and this is private from the client making the request)".

The reason to combine is the same as that used above in claim 35.

39. With respect to Claim 37, the combination of Rigole and Hanagan disclosed: "A method according to claim 35, the method including providing the component specification to a processing system, the processing system being adapted to provide details of the component to users thereby allowing users to select the component for use (Rigole, Col. 3, lines 3-49)".

40. With respect to Claim 38, the combination of Rigole and Hanagan disclosed: "A method according to claim 35, the method including defining a component server to be

implemented by the processing system (Hanagan, [0081], lines 1-3, where the OP is a component server), the component server being adapted to generate component instances performing the service portion (Hanagan, [0081], lines 16-26, where the OP generates low level activation request for the network element to implement the service ordered)".

The reason to combine is the same as that used above in claim 35.

41. With respect to Claim 39, Rigole disclosed: "Apparatus for providing a component embodying a service portion using a processing system (Col. 3, lines 26-29), the service portion being performed by an entity (Col. 3, lines 35-42) the method including:

a) Determine in accordance with user input commands:

i) A service portion to be performed (Col. 3, lines 42-49);

ii) A method of performing the service portion (Col. 3, lines 42-49); and,

b) Generating a component specification defining the service portion (Col. 3, lines 35-39), the component specification being indicative of the service portion associated with the component (Col. 11, lines 36-51) and including port specifications defining any information to be received or output from the respective port (Col. 10, lines 1-3, where ports are the endpoints of data channels and lines 6-14, where data channels are determined based on the structure of the data and the programs that are to operate on that data)

c) Providing the component specifications to a user (Col. 3, lines 39-42), thereby allowing the user to select respective ones of the components, at least some of the different components being provided by different entities (Col. 11, lines 6-8)

d) Receiving a service request to perform the service portion (Col. 3, lines 46-49)", "wherein the one or more interconnections define transfer of data between entities of the respective components to perform the service (Col. 10, lines 1-24); and

e) Performing the service portion in accordance with the service request (Col. 3, lines 46-49)".

Rigole did not explicitly state: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service".

However, Hanagan disclosed: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service ([0185], lines 1-10, where the user creates association rules between the new service and existing services)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hangan to include support for component combinations defining service portions and user defined interconnections between them and implementation of a service request by a respective component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

42. With respect to Claim 42, Rigole disclosed: "A method of providing a service portion embodied in a component using a processing system (Col. 3, lines 26-29), the method including causing the processing system to:

- a) Receive a service request (Col. 3, lines 42-49)", "wherein the one or more interconnections define transfer of data between entities of the respective components to perform the service (Col. 10, lines 1-24);

- b) Generate a respective component instance in response to the received service request (Col. 3, lines 46-49);

- c) Obtain any required information, at least a portion of the information being obtained from at least one other entity (Col. 5, lines 10-17, specifically, the system may retrieve data from others) via one of the interconnections (Col. 10, lines 1-3); and,

- d) Perform the service portion in accordance with the service request (Col. 3, lines 46-49)".

Rigole did not explicitly state: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service".

However, Hanagan disclosed: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service ([0185], lines 1-10, where the user creates association rules between the new service and existing services)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hanagan to include support for component combinations defining service portions and user defined interconnections between them and implementation of a service request by a respective component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

43. With respect to Claim 43, the combination of Rigole and Hanagan disclosed: "A method according to claim 42, the method including causing the processing system to perform the service portion using at least one of." a) A predetermined process; and, b) Input commands received from an operator (Hanagan, [0081], lines 26-32, where automatic activation of a service is not possible and an operator or workforce intervention is required)".

The reason to combine is the same as that used above in claim 42.

44. With respect to Claim 44, Rigole disclosed: "Apparatus for method providing a service portion embodied in a component (Col. 3, lines 26-29), the apparatus including a processing system adapted to:

a) Receive a service request (Col. 3, lines 42-49)", "wherein the one or more interconnections define transfer of data between entities of the respective components to perform the service (Col. 10, lines 1-24);

b) Generate a respective component instance in response to the received service request (Col. 3, lines 46-49);

c) Obtain any required information, at least a portion of the information being obtained from at least one other entity (Col. 5, lines 10-17, specifically, the system may retrieve data from others) via one of the interconnections (Col. 10, lines 1-3); and,

d) Perform the service portion in accordance with the service request (Col. 3, lines 46-49)".

Rigole did not explicitly state: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service".

However, Hanagan disclosed: "wherein the service request includes an indication of user defined interconnections of the component with one or more other components of a combination of components to perform a service ([0185], lines 1-10, where the user creates association rules between the new service and existing services)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan and since Rigole disclosed teachings related to providing a user with a desired service. Hanagan, likewise, disclosed methods to provide a user with a desired service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole with the teachings of Hanagan to include support for component combinations defining service portions and user defined interconnections between them and implementation of a service request by a respective component. Motivation to combine these references comes from allowing a user to define desired service plans rather than having to choose one provided by the service provider (see Hanagan, [0189], lines 1-9). Therefore, by combining the references one can rapidly define new services.

**45. Claims 7-8 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rigole and Hanagan in view of Gangopadhyay (US 6,973,638 B1).**

46. With respect to Claim 7, the combination of Rigole and Hanagan did not explicitly state: "A method according to claim 6, the method including allowing the user to define the component combination by connecting the ports of the selected components using the end station".

However, Gangopadhyay disclosed: "A method according to claim 6, the method including allowing the user to define the component combination by connecting the ports of the selected components using the end station (Gangopadhyay, Col. 2, lines 15-23 and Fig 3)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan with Gangopadhyay since Rigole and Hanagan disclosed teachings related to providing a user definable service. Gangopadhyay disclosed a method for a user to define a service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole and Hanagan with the teachings of Gangopadhyay to include support for allowing a user to connect ports of selected components using the end station. Motivation to combine these references comes from

allowing users to see and modify component combinations to provide a visual representation of a complex process (Gangopadhyay, Col. 1, lines 30-40). Therefore, by combining the references, a user can visually define component combinations by connecting ports of different components.

47. With respect to Claim 8, the combination of Rigole, Hanagan and Gangopadhyay disclosed: "A method according to claim 7, the method including connecting the ports in accordance with the port information defined in the port specifications (Hanagan, [0185], lines 6-9, where association rules are defined for a service for interfacing with existing services)".

48. With respect to Claim 47, the combination of Rigole and Hanagan disclosed: "A method according to claim 16, wherein the each agent negotiates with the agent of another component in accordance with the defined interconnections to thereby allow data to be transferred between the ports (Rigole, Col. 10, lines 33-39)".

The combination of Rigole and Hanagan did not explicitly state: "to select between available data types and formats".

However, Gangopadhyay disclosed: "to select between available data types and formats (Col. 4, line 63 - Col. 5, line 9, where connectors select the appropriate data format so the collaborator and other applications can read and use the data)"

One of ordinary skill in the art at the time of the invention would have been motivated to combine Rigole and Hanagan with Gangopadhyay since Rigole and

Hanagan disclosed teachings related to providing a user definable service.

Gangopadhyay disclosed a method for a user to define a service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rigole and Hanagan with the teachings of Gangopadhyay to include support for selecting between available data types and formats. Motivation to combine these references comes from allowing components to communicate. Therefore, by combining the references, components can communicate using an agreed upon data type and format.

### ***Response to Arguments***

49. Applicant's arguments with respect to claims 1-25, 27-32, 35-39, 42-44 and 47 have been considered but are moot in view of the new ground(s) of rejection.

50. Applicant further argues: "Rigole relates to the selection of overall services and not service portions as claimed" (pg 16, lines 4-5).

Examiner respectfully disagrees. See Rigole, Col. 11, lines 10-19, where a service sector can include telecom, which includes service portions such as local and long distance, cellular, paging, voice over IP, calling cards.

51. Applicant further argues Hanagan does not disclose "each service request includes an indication of the interconnections of the respective component" (pg 16, 4<sup>th</sup> full paragraph – pg 17, second full paragraph).

Examiner respectfully disagrees. See Hanagan, [0081], lines 3-9, where a request is analyzed to produce a workflow which identifies the proper order in which tasks must be performed, or the interconnection between the tasks.

52. Applicant further argues: "the service request of Hanagan requests activation or connection of a network element entirely separate to the components, such that the network elements do not have corresponding components. Furthermore, Hanagan does not suggest that the requests in the example include any information about the interconnections" (pg 18, lines 2-6).

Examiner respectfully disagrees. The network elements of Hanagan are the entities providing the components with the functionality. Claim 1 recites: "each component corresponding to a respective service portion provided by a respective entity" (Claim 1, lines 2-3). Thus, a network element is an entity providing a service portion of a component. See Hanagan, [0081], lines 16-22, where a selected component is call waiting, and the system will determine if the service can be activated automatically and proceed with activation if it is possible. The network element is the entity providing the service of call waiting, which is the selected component.

Furthermore, Hanagan disclosed the request including information about the interconnections, see Hanagan, [0081], lines 3-9, where a request is analyzed to

produce a workflow which identifies the proper order in which tasks must be performed, or the interconnection between the tasks

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW S. LINDSEY whose telephone number is (571)270-3811. The examiner can normally be reached on Mon-Thurs 7-5, Fridays 7-12.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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MSL  
4/6/2010

/Hassan Phillips/

Primary Examiner, Art Unit 2451